

ORIGINAL

(Del. Rev.12/98)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Ashley T. Adams

(Name of Plaintiff)

v.

CIVIL ACTION No. 05 - 249

**Integrity Staffing
aka Pepper Hamilton, LLP
Dawn Harper, et al**

**Randstad Staffing Services,
Woman of India nationality, et al**

**JP Morgan Chase Bank One,
Cheryl Denny, et al**

**Ernest & Young,
Scott Gallagher, et al**
(Name of Defendants)

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2005 APR 28 PM 1:40

***COMPLAINT UNDER TITLE VII
OF
THE CIVIL RIGHTS ACT OF 1964***

1. This action is brought pursuant to *Title VII of the Civil Rights Act of 1964*, as amended, for **employment discrimination**. Jurisdiction exists by virtue of 42 U.S.C. §2000e-5. Equitable and other relief are also sought under 42 U.S.C. §2000e-5(g).

2. Plaintiff resides at

716 North Barrett Lane
(Street Address)

Christiana, New Castle, DE 19702
(City) (County) (State) (Zip Code)

302 - 393 - 3525
(Area Code) (Phone Number)

3. Defendant resides at, or its business is located at:
[There are four (4) businesses involved]

Defendant #1

Integrity Staffing
220 Continental Drive
Suite 102
Newark, New Castle, DE 19713-2107

Also known as:

Pepper Hamilton, LLP
For attention of : Ms. Stephanie A. Bilenker
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799

Defendant resides at, or its business is located at:

Defendant #2

JP Morgan Chase Bank One
500 Stanton Christiana Road
Newark, New Castle, DE 19713-2107

Defendant resides at, or its business is located at:

Defendant #3

Ernest & Young
5 Times Square
New York, NY 10036

Defendant resides at, or its business is located at:

Defendant #4

Randstad Staffing
111 Continental Drive
Suite 201
Newark, New Castle, DE 19713-2107

4. The discriminatory conduct occurred in connection with plaintiff's employment at, or application to be employed at, defendant's place of business

JP Morgan Chase Bank One
(Defendant's Name)

located at

500 Stanton Christiana Road
(Street Address)

Newark, New Castle, DE 19713-2107
(City) (County) (State) (Zip Code)

5. The alleged discriminatory acts occurred on,

Repeating occurring incidents on or about August 2003, November 2003
(Day) (Month) (Year)

6. The alleged discriminatory practice is ☒ is not continuing.

7. Plaintiff filed charges with the Department of Labor of the State of Delaware,

Division of Industrial Affairs
(Agency)

P.O. Box 9954, Wilmington
(Street Address) (City)

New Castle , DE 19809-9954
(County) (State) (Zip Code)

Regarding, defendant's alleged discriminatory conduct on,

On or about August 2003 continuing November 2003.
(Day) (Month) (Year)

8. Plaintiff filed charges with the Equal Employment opportunity Commission of the United States regarding defendant's alleged discriminatory conduct on:

19 12 2003
(Day) (Month) (Year)

9. The Equal Employment Opportunity Commission issued the attached Notice-of-Right-to-Sue letter which was received by plaintiff on:

15 02 2005
(Day) (Month) (Year)

(NOTE: ATTACH NOTICE-OF-RIGHT-TO-SUE LETTER TO THIS COMPLAINT.)

10. The alleged discriminatory acts, in this suit, concern:

- A. ☒ Failure to employ plaintiff.
- B. ☒ Termination of plaintiff's employment.
- C. ☒ Failure to promote plaintiff.
- D. ☒ Other acts (please specify below):

Hostile work environment

Retaliation for reporting hostile working environment

- A. ☒ Plaintiff's race
- B. ☒ Plaintiff's color
- C. ☒ Plaintiff's sex
- D. Plaintiff's religion
- E. ☒ Plaintiff's national origin

12. A copy of the charges filed with the Equal Employment Opportunity Commission is attached to this complaint and is submitted as a brief statement of the facts of plaintiff's claim.

13. If relief is not granted, plaintiffs will be irreparably denied rights secured by Title VII of the 1964 Civil Rights Act, as amended.

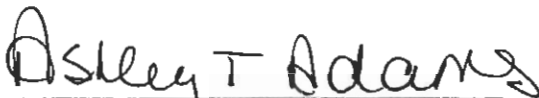
14. Plaintiff's has no adequate remedy at law to redress the wrongs described above.

THEREFORE, Plaintiff prays as follows: (Check appropriate letter(s))

- A. ☒ That all fees, cost or security attendant to this litigation be hereby waived.
- B. ☒ That the Court appoint legal counsel.
- C. ☒ That the Court grant such relief as may be appropriate, including injunctive orders, damages, costs, and attorney's fees.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 28, 2005


(Signature of Plaintiff)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974

ENTER CHARGE NUMBER
☐ FEPA
☐ EEOC
Delaware Department of Laborand **EEOC**

(State, or local Agency, if any)

NAME (Indicate Mr., Mrs., Ms)

Ashley T. Adams

HOME TELEPHONE NO. (Include Area Code)

(302) 393-3525

STREET ADDRESS**CITY, STATE AND ZIP CODE****COUNTY**

716 N. Barnet Lane Christiana DE 19702 NCC

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below.)**NAME**

Integrity Staffing

NO. OF EMPLOYEES OR MEMBERS 20+**TELEPHONE NUMBER** (Incl. Area Code)

(302) 454-8367

STREET ADDRESS**CITY, STATE AND ZIP CODE**

220 Continental Drive, Newark, DE 19713

NAME**TELEPHONE NUMBER** (Include Area Code)**STREET ADDRESS****CITY, STATE AND ZIP CODE**
☒ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN ☐ AGE

☐ RETALIATION ☐ DISABILITY ☐ OTHER (Specify)
DATE DISCRIMINATION TOOK PLACE**EARLIEST** 4/2003**LATEST** 11/13/2003☐ CONTINUING ACTION**THE PARTICULARS ARE** (If additional space is needed, attached extra sheet(s):

I am a white female who began working with Respondent on 4/03 as an Accountant and most recently as an Accountant Team Leader at a Newark site. As a temporary worker on assignment, I experienced and reported harassment from another co-worker from another agency to Dawn Harper, Director/Recruiter. After reporting the harassment, I was assigned to another department within the same site. During my tenure in my new position, I was subjected to various types of adverse actions such as racial comments and slurs (Respondent temp called me a "White B."), different treatment from my male co-workers and instructed to perform more work than male co-workers. I reported the hostile work environment that I experience to Ms. Harper with no resolve. In addition, Tom Femia, Site Supervisor and Bruce James, Site Manager appeared to favor males and demonstrated this by giving credit to Marcus McBride and Joe Leberman for work that I had developed and implemented. I trained Marcus and was required to work more hours than Marcus and Joe. In or about 11/03, I proceeded to apply for a permanent position and consequently was subjected to a hostile work environment by my fellow temp workers. I reported the continued discrimination by my co-workers and Scott Gallager, Site Consultant to Ms. Harper with no resolve.

Respondent ultimately terminated my employment on 11/13/03 without reason.

I believe that I have been discriminated and retaliated against in violation of Title VII of the Civil Right Act of 1964, as amended and the Delaware Discrimination in Employment Act based on my sex (female) and race (white) because: 1. Respondent did not investigate my discrimination complaints; 2. Respondent subjected me to a hostile working environment; 3. Respondent instructed me to train male co-workers and work additional hours unlike them, 4. Bruce James, Site Supervisor terminated me and then instructed me to train male workers before I left work on 11/13/03, 5. Respondent assigned me to be a Trainer and Team Leader with less pay than male co-workers such as Joe Leberman, and Larry Colandro, 6. In addition to the hostile work environment that I experienced, I also witnessed Tom Femia make negative comments about foreigners and their language.

☒ I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.
SIGNATURE OF COMPLAINANT

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

NOTARY - (When necessary to meet State and Local Requirements)

Date

Charging Party (Signature)

Subscribed and sworn to before me this date

(Day, month, and year)

CHARGE OF DISCRIMINATION

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ENTER CHARGE NUMBER
☐ FEPA
☐ EEOC
Delaware Department of Laborand **EEOC**

(State, or local Agency, if any)

NAME (Indicate Mr., Mrs., Ms)

Ashley T. Adams

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JP Morgan/Integrity Staffing

NO. OF EMPLOYEES OR MEMBERS 20+**TELEPHONE NUMBER** (Incl. Area Code)

(302) 454-8367

STREET ADDRESS**CITY, STATE AND ZIP CODE**

500 Stanton Christiana Road, Newark, DE 19713

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II. Respondent ultimately terminated my employment on 11/13/03 without reason.

III. I believe that I have been discriminated and retaliated against in violation of Title VII of the Civil Right Act of 1964, as amended and the Delaware Discrimination in Employment Act based on my sex (female) and race (white) because: 1. Respondent did not investigate my discrimination complaints; 2. Respondent subjected me to a hostile working environment; 3. Respondent instructed me to train male co-workers and work additional hours unlike them, 4. Bruce James, Site Supervisor terminated me and then instructed me to train male workers before I left work on 11/13/03, 5. Respondent assigned me to be a Trainer and Team Leader with less pay than male co-workers such as Joe Leberman, and Larry Colandro, 6. In addition to the hostile work environment that I experienced, I also witnessed Tom Femia make negative comments about foreigners and their language, 7. Tom Femia & Joe Leberman subjected me to abusive sexual language ("F this and F that") after I informed them that it was very unwelcome.



I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

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Ernest & Young/Integrity Staffing

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STREET ADDRESS**CITY, STATE AND ZIP CODE**

5 Times Square, New York, NY 10036

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Date

Charging Party (Signature)

Subscribed and sworn to before me this date

(Day, month, and year)

EEOC Form 161 (3/98)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Ashley T. Adams**
716 N. Barnet Lane
Christiana, DE 19702

From: **Philadelphia District Office**
21 South 5th Street
Suite 400
Philadelphia, PA 19106



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

17C-2004-00275

Charles Brown, III,
State & Local Coordinator

(215) 440-2842**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans with Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.



While reasonable efforts were made to locate you, we were not able to do so.



You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

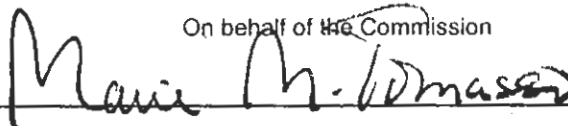
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this Notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Marie M. Tomasso,
District Director

February 15, 2005

(Date Mailed)

Enclosure(s)

cc: **JP MORGAN**
500 Stanton-Christiana Rd
Newark, DE 19713